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February 7, 2017

**VIA ECF**

Hon. Laura Taylor Swain  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

Re: *Henry Lee v. Buth-Na-Bodhaige, Inc. d/b/a The Body Shop*  
Case No. 1:16-cv-01104

Dear Judge Swain:

We represent Plaintiff and write on behalf of both Plaintiff and Defendant Buth-Na-Bodhaige, Inc., d/b/a The Body Shop (“The Body Shop”) to apprise the Court of certain recent developments that bear on a motion pending in this action.

As the Court is aware, on January 24, 2017, Plaintiff filed an Unopposed Motion for Conditional Class Certification, Preliminary Approval of Class Action Settlement, and related relief. As the Court is also aware, there are currently pending two other putative class actions filed against The Body Shop related to alleged violations of the Fair and Accurate Credit Transactions Act (“FACTA”): *Taylor v. Buth-Na-Bodhaige, Inc. d/b/a The Body Shop*, Case No. 8:16-cv-00610-DOC-JCG (C.D. Cal.), and *Flaum v. Buth-Na-Bodhaige, Inc. d/b/a The Body Shop*, Case No. 15-cv-62695-WJZ (S.D. Fla.).

Following the filing of Plaintiff’s Unopposed Motion, The Body Shop filed applications in both the *Taylor* and *Flaum* matters to stay all proceedings in those cases, pending this Court’s determination on the proposed Class Action Settlement. On January 27, 2017, the court in the *Taylor* matter granted the application to stay and directed The Body Shop to file a status report when a ruling regarding the proposed Class Action Settlement is entered or within sixty days, whichever comes first. A copy of that Order is attached. The motion to stay in the *Flaum* matter is not yet fully briefed.

Also, we wanted to inform the Court that on February 3, 2017, in accordance with 28 U.S.C. § 1715(b), The Body Shop, through the proposed Settlement Class Administrator, sent the required “CAFA Notice” to all appropriate State and Federal officials.



If the Court has questions about any of the above, or would like to schedule a conference regarding the Unopposed Motion, we are available either telephonically or in person at the Court's convenience.

Respectfully Submitted,

Robert L. Lash

cc: All Counsel of Record

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JS-6

MONIKA TAYLOR, on behalf of  
herself and all others similarly situated,

Plaintiff,

v.

BUTH-NA-BODHAIGE, INC. d/b/a  
THE BODY SHOP,

Defendant.

Case No.: 16-cv-00610-DOC-JCG

**ORDER GRANTING  
DEFENDANT'S *EX PARTE*  
APPLICATION TO STAY  
PROCEEDINGS [66]**

This matter before the Court on defendant Buth-Na-Bodhaige, Inc. d/b/a The Body Shop's ("The Body Shop") *ex parte* application to stay the proceedings (Dkt. 66). After consideration, and being fully apprised therein, **IT IS HEREBY ORDERED:**

The Body Shop's *ex parte* application to stay the proceedings is **GRANTED**. This case is hereby stayed and all pending deadlines and hearing dates are vacated pending a ruling on the proposed settlement of the lawsuit entitled *Lee v. Buth-Na-Bodhaige, Inc.*, Case No. 1:16-cv-01104, filed in the Southern District of New York. The Body Shop will file a status report notifying the Court when a ruling is entered regarding the proposed class action settlement in that case or within 60 days of the date of this order—whichever comes first.

IT IS SO ORDERED.

Dated: January 27, 2017



Hon. David O. Carter  
United States District Judge